

Minutes of a Regular Board Meeting of the Town Board of the Town of Riverhead, held in the Town Hall, Riverhead, New York on Tuesday, October 18, 1988 at 7:30 p.m.

Present: Joseph F. Janoski, Supervisor
John Lombardi, Councilman
Louis Boschetti, Councilman
Robert Pike, Councilman
Denise Civiletti, Councilwoman

Also Present: Patricia Moore, Town Attorney
Irene J. Pendzick, Town Clerk

DEMETRIA HOBSON, SUPERVISOR FOR A DAY

Supervisor for a Day, Demetria Hobson called the meeting to order at 7:30 p.m. and the Pledge of Allegiance was recited.

Councilwoman Civiletti offered the following resolution which was seconded by Councilman Lombardi.

RESOLVED, that the Minutes of Regular Board Meeting of October 4, 1988 be and are hereby dispensed with and approved without objection.

The vote, Boschetti, yes, Pike, yes, Civiletti, yes, Lombardi, yes, Janoski, yes.

The resolution was thereupon duly declared adopted.

Supervisor of the Day, "Reports."

REPORTS

Shoreham Wading River School District-Equalization of tax reates for 1988-1989.

Filed

Conservation Advisory Council-Minutes of 9/21/88 Meeting.

Filed

Riverhead Central Schools-Equalization of tax rate for 1988-1989.

Filed

Laurel Common School-Equalization of tax rate for 1988 and 1989.

Filed

Supervisor's Office-Five-Year Capital Project Budget.

Filed

Councilman Pike and Boschetti-Capital Facilities Program.

Filed

Supervisor for a Day, "Applications."

APPLICATIONS

Shorewood Water Corporation-Franchise Extension #4.

Filed

Parade Permit-Riverhead High School Student Council on
October 22, 1988 at 1:00 p.m.

Filed

Supervisor for a Day, "Correspondence."

CORRESPONDENCE

Kiwanis Club, 10/3/88-Copy of letter to State Trooper Superintendent requesting additional troopers in Riverhead.

Filed

N.Y.S. Dept. of Transportation, 10/6/88-Advising "no comment" re: Mill Pond Commons as it does not front State Highway.

Filed

Little Flower Children Services-Extending invitation to the dedication of new cottage on 10/28/88.

Filed

S.C. Dept. of Public Works, 10/12/88-Advising that no permit from their Department is required for Long Lake Co-generation Corp.

Filed

S.C. Dept. of Planning-Advising of seminar for government officials will be held November 19, 1988.

Filed

Molly Roach, 10/14/88-Stating that she is worried about direction of town government and observing that using development fees to pay for facilities is "bad economics".

Filed

Gregory Blass, 10/12/88-Copy of letter to Harold Berger, DEC re: permit issued by Department for 18 boat slips on Case's Creek, Aquebogue.

Filed

Mattituck Sanitation, 10/13/88-Addressing proposed landfill fee increase and poor attendance at 10/12/88 meeting.

Filed

LI Pine Barrens Assoc., 10/15/88-Copy of letter to S.C. Pine Barren's Society requesting that application of Calverton Lifecare be denied with reasons why.

Filed

Charles Voorhis, 10/15/88-Advising that his firm is unable to submit a proposal for scope of work requested for Sewer Scavenger Waste District.

Filed

N.Y.S. Dept. of Transportation, 10/17/88-Advising that Town's Request for lower speed limits at Osborne Avenue, Peconic Bay Boulevard and Laurel Lane is denied.

Filed

Supervisor for a Day, Demetria, "The time for the first public hearing has not yet arrived. I would recognize anyone wishing to be heard."

PERSONAL APPEARANCES

Steve Haizlip, Calverton, "What I would like to know Madam Supervisor and Town Board members, what I would like to know is; on the application for a Change of Zone by Mr. Fred Moore how it could come out first as a special permit and now it's worked its way into the system and wants residential? Now, residential, from the way I understand it is houses. And if you're going to go into condos or nursing facilities, I don't think it becomes residential any more. And that's my thinking along that line. So do you have any comments about that? No or yes?"

Supervisor Janoski, "The proposal is for a complete lifecare center which goes far beyond being simply residential or a nursing care facility. As a matter of fact, it's kind of a combination of both. The property is zoned industrial. So a change of zone application is necessary. Also, a special permit is necessary. So two applications are moving through the process at the same time.

Steve Haizlip, "Ok."

Alice Graff, Riverhead, "I find it very distrubing to see the situation that's developing at Merrits Pond. I notice two homes that have recently been completed and they were told that they can not build a certain distance to the pond. But I notice there is a home under construction that looks at this point, about three feet from the pond. I think that is a disgrace. I understand that the D.E.C. has awarded this building permit. And I don't know. Something should be done with the D.E.C. to allow a situation of that status."

Supervisor for a Day, Demetria, "Anyone else."

Paul Baker, Wildwood Hills, W.R., "These comments are in reference to the height variance on Route 58. Our town has wisely decided to implement proper planning when discussing the future look of Riverhead. We applaud the wisdom of your efforts. We have continually asked you over the past few months to avoid changing zones especially along Route 58 until a Master Plan is adopted. Certain developers have petitioned you in the past to increase their densities. Their business goal is to maximize their profit. The goal of good government must be to protect the small property owner from being burdened by those seeking to maximize. The changing of the height requirements for buildings in this town might well be needed in the future. The present change however, without the proper planning and discussion could prove a terrible burden to the many homeowners of this town. Increasing densities without the formal adoption of a plan is dangerous and irresponsible. We ask you to please reconsider this change that will only immediately benefit a certain few in this town. There is nothing wrong with changing your position at this time. The public should remember this board as a board committed to intelligent planning. Let everyone know that this board was big enough to re-evaluate its positions. Let Riverhead be proud of its elected positions who would leave no doubt in anyones mind that they represented the whole community and not just the profit interests of a few. We hope you will reconsider and rescind that change as soon as possible until the proper planning can be done. Thank you very much."

PERSONAL APPEARANCES, Continued

Supervisor for a Day, Demetria, "Thank you. Anyone else wishing to be heard?"

Tom Webb, Calverton Acres, "I just want to ask a question in reference to our police force. Something that bothers me about it. I've been told that perhaps I should talk to the Chief of Police first. Like the Chief of Police, I work during the days and it's a little difficult for me to get in touch with him but I have done a little bit of homework. And it's been brought to my attention that you basically have a 50 man give or take, police force that run in five-man squads during the course of the day and as little as four men at night. And Riverhead township covers a large area. And because we live so far on the outskirts of Riverhead, there are times when you have difficulty getting a police car out to us because the call may not be important enough. Quite frankly, I think it's a little ridiculous that such a large area that's growing as fast as it is and the way the Board is turning over properties, turning them in to residential and more and more houses are being built, I would like to see a much larger police force to protect our area. I mean quite frankly, I'm new to the area but I feel like I'm in Mayberry. I feel like I'm in Mayberry. I'm expecting Andy and Barney to come up to the door if I ever need them. I think it's sad. I made a joke but I think it's sad. I thought Suffolk County was bad. I don't know if you have ever seen a sector map in Suffolk County. It's one police car to cover a large area but out here. There are times when you have one police car sitting at any given spot with a radar gun which is fine. I'm not begrudging that. But you're taking the man away from possibly another emergency somewhere. I think it's something you should check in to seriously. We've been talking here, the people at the meeting have been talking about the tax base and building more industry to help with the tax base. And I think if you had more industry and a bigger tax base, you'd be able to afford more police officers. And I think that to take care of the people here in the Town of Riverhead, I think the smart thing would be is to get yourself more police officers. Thank you."

Supervisor Janoski, "Thank you."

Supervisor for a Day, Demetria, "Let the record show that the hour of 7:45 has arrived. The Town Clerk will please read the notice of public hearing."

PUBLIC HEARING - 7:45 p.m.

I have affidavits of publishing and posting for a public hearing to be held at Riverhead Town Hall on Tuesday, October 18, 1988 at 7:45 p.m. to hear all interested persons who wish to be heard regarding: The Establishment of Ext. 19B of the Riverhead Water District.

(See Water District Minutes)

7:45 PUBLIC HEARING CLOSED AT 8:02

Supervisor for a Day, Demetria, "Let the record show that the hour of 8:03 p.m. has arrived. The Town Clerk will please read the notice of public hearing."

PUBLIC HEARING - 7:55 p.m.

I have affidavits of publishing and posting for a public hearing to be held at Riverhead Town Hall on Tuesday, October 18, 1988 at 7:55 p.m. to hear all interested persons who wish to be heard regarding: The application of Casilen Corporation for a Change of Zone and Special Permit to construct 220 condominiums at Osborn Avenue and Middle Road.

Supervisor Janoski, "I got permission from the Supervisor to explain this. The purpose of this meeting is as described, a scoping hearing. It is part of the requirement of the State Environmental Quality Review Act. From this discussion, the draft environmental impact statement will be prepared by the applicant. This is not a hearing in which the public is invited to express their opposition or their support for the project. The purpose of this hearing is to identify issues and concerns which the public feels should be addressed in the environmental impact statement. Are you representing? Would you give us a quick overview of the application?"

Guy Germano, "Supervisor Hobson, members of the Town Board, my name is Guy Germano from Ritkin & Adler. I represent the applicant, Casilen Development Corporation with regard to the scoping session. I brought with me a site plan."

Supervisor Janoski, "You can take the microphone from the stand if you would like to hold it in your hand."

Guy Germano, "The application is for a 220 unit townhouse development with an anticipated homeowners association. The property is located on Osborn Avenue and Middle Road in the Hamlet of Riverhead. The property is comprised of 57 wooded acres. It's presently zoned Agricultural "A". Located on the property as you can see here, are two ponds. As you can see, the entire site is wooded. The proposal would envision that all the units of housing would be built no closer than 100 feet to the ponds. That the ponds themselves would be preserved. And to the extent necessary, they will be cleaned up. I believe you received a communication that there's some debris located in the pond. That will be cleaned up. Surrounding this site, all the units will be set back from neighboring properties, a minimum of 100 feet. as you can see, it contains self-contained roads throughout the site. The property is currently zoned Agricultural "A" and Industrial "A". As part of the application and as part of the scoping for the D.E.I.S, we're asking for a change of zone to Residence "C" with a special permit for the condominium or townhouse development. This is in line with the zoning in the hamlet which permits relatively higher density closer to the Village of Riverhead. Surrounding the property, we

PUBLIC HEARING, Continued

Guy Germano, Continued

have residential, agricultural and industrial uses presently in existence."

Councilman Pike, "Could you help us locate that exactly? Where's Middle Road? Where's Osborn?"

Guy Germano, "Middle Road is over here. This is the north of the site. This is Middle Road here. The property is currently in the Water District in the municipal water district. It is not yet in the Sewer District. It is in the sewer district area. And of course there's a moratorium on the extension of the district or hook-ups. Pending the extension of the district and the availability of hook-ups, the applicant would proposed to build a sewage treatment plant. He would hook up to the district when the district lines were available. As part of the plan, the project is going to be designed for what we would call moderate income groups and the general population. We're talking about young families, newlyweds and senior citizens. Part of the site amenities, it is a self-contained unit. There will be a jogging trail going around the perimeter of the site in the setback. There would be a swimming pool, tennis courts, clubhouse. The roads would be private and privately maintained. There would also be security provided for this site, security gate with security. That's a brief overview of the project. I'll leave this here."

Supervisor for a Day, Demetria, "Recognizing anyone who wishes to be heard."

Sherry Johnson, Manorville, "The D.E.I.S. for this project should discuss, of course, all the standard impacts including those on town services, schools, existing land use, the existing zoning and groundwater. The D.E.I.S. should discuss the 208 Water Quality Study and its recommendation for hydrogeological zone three. It should discuss the Farmland Preservation Study and its recommendations for the hamlet area. The D.E.I.S. should discuss traffic. All the developments recently approved and proposed should be listed. The total number of units and their projected increase to area traffic should be discussed. The widening of Middle Road and land condemnation and cost should be discussed. I would like to see the D.E.I.S. describe and list all types of vegetation found on the site. The D.E.I.S. should discuss all woodlands in the town. The number of wooded parcels should be listed showing which are vacant, which are proposed to be developed and which are already developed. The percentage of total land mass in the town that is wooded should be included. The D.E.I.S. should discuss the benefits of wooded areas including but not limited to wildlife habitat, recreational use and aesthetic value. I would also like to see the D.E.I.S. discuss the "greenhouse effect". The D.E.I.S. should also describe the wetlands on the parcel. It should discuss the Freshwater Wetlands Act. Information on the current surface and groundwater quality should be included. The impacts of fertilization on water quality should be discussed and the impact that the introduction of nutrients has on plant diversity should be discussed. The D.E.I.S. should describe wetlands benefits. Groundwater levels throughout the site

PUBLIC HEARING, Continued

Sherry Johnson, Continued

should be determined and flooding should be discussed. It should list all wildlife likely to be found on the site. Endangered, threatened and special concern species should be identified. The D.E.I.S. should discuss the tiger salamander. Its habitat needs and preferences should be compared to the conditions of the site. Field work should be done in February to determine if this species uses these ponds for breeding. The Change of Zone should be thoroughly discussed. Its impacts on the Farmland Plan should be included and the increase and density on this site should be included. The discussion should include the impacts that would occur if all the available land on Middle Road were changed to Residence "C". The alternatives of a tighter cluster to preserve woodlands should be explored as well as development at the existing density. The D.E.I.S. should also discuss a transfer of development rights as an alternative to a zone change to achieve the requested density increase. Thank you."

Supervisor for a Day, Demetria, "Recognizing anyone wishing to be heard."

Betty Brown, N.F.E.C., "Comments to be incorporated into the D.E.I.S. of the Casilen, Corp. for a special permit and change of zone along Middle Road. Address the change of zone as it relates to the loss of prime industrial land and frontage on Route 58 in a town needing to increase its tax base. Address the benefits of more residential "C" zoned land that has the potential to increase density in a town that does not want to attract more development that burdens our services. Describe in detail the 52 acres of forest. List the species present with relation to their value and indicate all plants on the conservation list. Describe how a clustered project attempts to preserve space, would necessitate chopping down and clearing all but one acre. The project acreage to remain undeveloped is 39 acres. Discuss this contradiction. Indicate how this debris will be removed and will this need the services of our town landfill. Does the project site contain endangered or threatened species? List all species observed and list time, dates of field inspections. Address the loss of wildlife habitat. Discuss the project impact with regard to traffic. Five hundred plus parking spaces are indicated. Fifty three point seven vehicular trips generated per hour. What roads will service this use? List all data that prompted the applicant to indicate the existing road network is adequate to handle the additional traffic. Address accumulative impact of 48 tons of solid waste per month with all other applications in any stage along Middle Road. And also, all projects having gained approval within the past year on the drawing board in the entire town relating to solid waste. Indicate the demand that will be created for community services. Show the need for such a project and describe its benefits. Include a complete analysis of the two ponds that exist on the site. Include a hydrogeological analysis, wildlife, flora fauna that exists upland and within the wetlands. Describe the impact of 220 families on the future and species and their welfare. Discuss the complete plans regarding sewage treatment in both phases of development. Address also other alternatives at lesser densities. Thank you."

Supervisor for a Day, Demetria, "Recognize anyone wishing to be heard."

Minister Clara Williams, "In regards to the project that has been brought before us, I want to know if he says that it is for the young people and the elderly people with low income, was this directed just for white or was it for black? Because I know so many black people that were turned down because they wasn't making enough money to get into these houses. They put in their application. They called but yet they were turned down because they wasn't making enough money. What do you consider a low income?"

Councilman Boschetti, "Excuse me. Where were they turned down? For what project?"

Councilman Pike, "Silver Linings."

Supervisor Janoski, "The purpose of a public hearing is exactly that. To listen to the concerns of a scoping meeting as to what should be addressed in the draft environmental impact statement. This application has nothing to do with what Mrs. Williams is speaking about which is the town sponsored housing. I heard very distinctly the applicants say moderate income housing. He never said the word low income housing. But now is not a time for the Town Board to be answering questions. It is rather a time to listen to the concerns that people may have. Now I heard very distinctly a concern that she has; providing housing opportunities so that people can afford it. It's up to them to address that in the impact statement."

Councilwoman Civiletti, "Can I just interject something? If I might take the liberty of rephrasing what you said or restating it to the applicant. I think the point is that you use the term this is going to be moderate income housing. Maybe in the D.E.I.S. what the suggestion is that you should define, how do you define that? What income categories are you talking about and demonstrate?"

Guy Germano, "Just very briefly. We're not talking about high luxuries houses here. Just so we can explore that for a moment here. We're not talking about high income luxury houses. We're talking about houses that would be affordable for people of moderate means. We're not talking about low income housing however."

Councilwoman Civiletti, "You should explore that in more detail in the D.E.I.S."

Guy Germano, "We will explore that more."

Councilman Pike, "And my thought is when you do that, do it based on Riverhead moderate income, not county or state or federal. Take a look at what a moderate income family makes in Riverhead."

Supervisor Janoski, "Let me just add to that. The individuals who applied for the town sponsored housing program, obviously had to apply for a mortgage. Some people are not able to get approval for a mortgage. There's no discrimination in that. It happens to be a fact of life that a certain income is required to get a lending institution to approve a mortgage. Many people were approved and that

PUBLIC HEARING, ContinuedSupervisor Janoski, Continued

is the process which we have gone through and sponsored. We are doing, I think, an admirable job in providing these homes at lower cost than would otherwise be possible. But the fact of the matter is that all people universally can not be approved for a mortgage. The town government can do nothing to alter that."

Supervisor for a Day, Demetria, "Recognize anyone wishing to be heard."

William Kasperovich, Wading River, "Well I think I'll just ignore all that chatter because I made up my mind this morning not to let you people get under my skin. It's unfortunate that on Tuesdays I see what men have given for their country and what men will pay a price for their remaining time of life so that we could have the United States of America the way it is. This puts me into a rather sensitive frame of mind for a Town Hall meeting because I have to tolerate the crudity and snide remarks. But the thing that bugs me here with this project is that we recently hired a man with a title of environmental planner. I had looked at this position quite closely. I scrutinized its duties and I would say that if we put such a scope hearing on the floor this evening, we are not letting this man earn his money. We had two charming young ladies come up here and give long lists of things that had to be addressed. This is nothing new that we've arrived. We in Riverhead have been looking for a hard look at items of concern to the people that live here and the conditions that we have here. But I thought we took one step upward when we hired this man supposedly a professional that would get involved in these things. Now if somebody wants to build a project, he could give them an outline of what we are concerned with in Riverhead. Certainly we can't lean on the general public to give all the coverage. And I say this is putting the horse at the wagon with the wrong end too. If somebody wants to build a project in this township, they've got to go to some knowledgeable people, be they in the Town Hall or outside the Town Hall, and make a reasonable firm preliminary request to be considered. It seems here that we're entertaining a developer to put in a project and we've opened all the doors. I say no. You hired a professional to do this type of work. Let him do it."

Supervisor Janoski, "Bill, we had....."

William Kasperovich, "And then bring it to the public because then we know that the people that are in the Town Hall are being paid and have screened through it and made it worthy to be presented. This way we have no way to know. Now, I get very suspicious when I hear concerns of jogging trails when we have a big school budget to be concerned with, with school population, with all kinds of utilities, with vehicular traffic, with pedestrian traffic. And yet we introduce things like jogging trails. It puts me on my guard. However, that's neither here nor there. I bring forth here and now, you hired a man to do the job. Let him do it. Otherwise don't spend the taxpayers money."

Supervisor Janoski, "The Town Board has not yet hired any individual. As a matter of fact, it wasn't until yesterday that the individual accepted the offer of the position. We could, if the Board wished to, move on that tonight and of course he would be entitled to at least two weeks before he came on board. But you're

PUBLIC HEARING, Continued

Supervisor Janoski, Continued

aware as you record these meetings, so do we and the complete transcript of information and those items which were identified as far as interests of concern and issues that should be addressed, would be written and available to the person who came on board. So that person could in fact be brought up to speak simply by reading the document which will be prepared by the Town Clerk's Office.

William Kasperovich, "Well, at a previously meeting you had a resolution to employ a man and voted on by five to zero. So I would assume that since you voted on accepting him, he was accepted and was part of the scheme of things."

Supervisor Janoski, "He did not accept until today. I'm sorry. Until yesterday. The word had reached me that he had decided to accept the position. He is entitled to a period of time to give notice to his current employer. And I would think that within a week to two weeks, a person would be on board. There is a recording of everything....."

William Kasperovich, "Excuse me Supervisor. But you mean to say that you passed a resolution to hire a man that you did not know whether he would accept the job or not? I mean, I know I'm kind of thick but I don't swallow things like that."

Supervisor Janoski, "The individual had some second thoughts."

William Kasperovich, "Afterwards or he changed his mind."

Supervisor Janoski, "He did not change his mind but he went into a period of questioning his best direction. And as I say, he did finally indicate that he wished to work for the Town of Riverhead."

William Kasperovich, "Well, okay. I would... Let me add then, that I would think you ought to put this back on the shelf. And when the man is fully engaged in employment, give it to him as his first task and not to expect the public to come here and say what this developer should do. The developer is smart enough to know where he doesn't want to spend money for professionals to tell him how to present something."

Supervisor for a Day, Demetria, "Thank you. Recognize anyone wishing to be heard. Without objection, I declare the hearing closed. Let the record show that the hour of 8:27 p.m. has arrived. The Town Clerk will please read the notice of public hearing."

7:55 PUBLIC HEARING CLOSED AT 8:27

PUBLIC HEARING - 8:05 p.m.

I have affidavits of publishing and posting for a public hearing to be held at Riverhead Town Hall on Tuesday, October 18, 1988 at 8:05 p.m. to hear all interested persons who wish to be heard regarding: Installation of lateral water mains within the proposed subdivision known as Mesta Vista, Jamesport.

(See Water District Minutes)

8:05 PUBLIC HEARING CLOSED AT 8:27

Supervisor for a Day, Demetria, "Recognize anyone who wishes to be heard."

Supervisor Janoski, "And by that, the Supervisor means that anything on the agenda, any questions that you might have regarding resolutions or anything at all."

Mary Beth Andresen, Aquebogue, "Good evening Ms. Hobson, members of the Town Board. I came here this evening to state my unhappiness with the most recent decision of the Town Board with regard to the five story height limit along Route 58. I do recall the public hearing was held in February. It took place close to 11:00 p.m. in the evening with regard to this topic. And if I do recall, there was a great resentment against the increased height allowance in this town. However, seven months later, a resolution to change the height variance was accepted almost subliminally without most of the concerned citizen cries of nay going unheard. Once again this Town Board appears to honor the request of greedy out-of-town developers at the expense of existing persons in this town. I can almost not fathom an increase in height along parcels on 58 truly representing any hardship to their owners. When one of our local councilmen referred to this as a small footprint on our environment, I truly must disagree. And instead, place the analogy of a giant looming along 58 and casting a huge shadow along this sector. No gentlemen and young lady, I feel that the impact along Route 58 with a five story height variance, has not been addressed. Just this past weekend the traffic was bumper to bumper from Aquebogue to the Expressway as well as each evening during rush hour. Traffic along this corridor is almost impassable. The impact of offices encompassing egressing traffic onto Route 58 from extensive land usage, has truly not been addressed without any change in roadways as they now stand. And if it has, I feel that this Town Board has been remiss in their vehicular usage along Route 58 during these peak hours. I emlore you to rescind your resolution as it now stands and offer the public another hearing that one that might truly be heard. Thank you."

Supervisor for a Day, Demetria, "Thank you. Recognize anyone who wishes to be heard."

Betty Brown, N.F.E.C., "We ask the Board this evening to consider the mistake that was made when the three votes increased the height along Route 58 to five stories at the last regular meeting. There have been many proposals brought before the Board in the many years that I & others have been attending the town meetings. Many have been good and in keeping with community values and many have been controversial. But I remind the Board, the one concept that you all heard everyone agree on is that we did not want to become like the town of Nassau and Western Suffolk. Even the fraction of residents that are interested in more development and more growth, have never before this lobbied to change the face of Riverhead. I know you've heard the wishes of the people. Some of you have even campaigned on a platform to preserve Riverhead. I ask you all tonight to do just that. Suffolk County is the leading agricultural county in New York State. Riverhead is the largest agricultural

PERSONAL APPEARANCES, Continued

Betty Brown, Continued

township within that county. Our quality of life and our aesthetic quality is the reason our economy is what it is. We in Riverhead, have everything everybody wants. Why change it now? Big cities dot the landscape all over Long Island. Do you not know how to protect what we all hold so dear in our town? We have begun circulating petitions and have hundreds of names. We ask you to reconsider your position on this amendment. We ask you to represent the residents and their very sincere concern for our rural quality of life. Riverhead does not want this modification. Riverhead does not need this. Thank you."

Nick DiPierro, Wading River, "Good evening members of the Town Board and Supervisor Hobson. Keeping on the subject of height, I would like to inform you and probably many of you on the Town Board already know that we had (this weekend) the Flying Eagles again in action. The same club that was denied a permit back in June. And I think we can attribute this fact that they were flying to a statement that was made by our Supervisor who said let them fly and we can have this settled in court. I think we can... If they receive a summonse, we can have it settled in court. I don't know whether we can take this as a middle of the road position or as an endeavor to make some lawyers richer. Because as is usual the case, whoever has the most money, wins the case like this. With your statement and Peter Danowski's opinion that he can override the Town Board's denial of a special permit, we're allowing a bunch of people who don't even reside in the Town of Riverhead to come to the Town of Riverhead and get from the Town of Riverhead what they can't get from their own town. Do we have an affidavit from this organization stating that there is no monetary value or no money being exchanged as far as the use of this land? I don't believe we do. Again, I would like to ask this Board as one of the people who signed the petition, not to turn your back on the 70 or 80 people who signed this petition and let this club fly in the area that they're flying in. With the rapid development that we're getting in the west end of the Island, eventually this may well be the only area where they'll be flying. And once they get in there, it will almost be impossible to stop them."

Councilwoman Civiletti, "Have they filed a special permit application? A new one? Are they going to?"

Supervisor Janoski, "I don't know."

Councilman Lombardi, "Aren't they supposed to?"

Supervisor Janoski, "Well, this is...."

Nick DiPierro, "As I was watching them the other day as far as confirming whether or not there is any danger of the airplanes from the Grumman area flying over, suddenly I don't know where it came from, but there was an Army helicopter that just flew right over them, right over them, right over their area that they were flying in. It couldn't have been any more direct."

PERSONAL APPEARANCES, Continued

Supervisor Janoski, "I would imagine there was a difference in altitude."

Nick DiPierro, "Not much. It was pretty darn low."

Supervisor Janoski, "I remember, if you'll forgive me for this, but I remember you as demonstrating the sound of a model airplane engine but with a recording of a chainsaw. So not much in your opinion is probably 1,000 feet or more."

Nick DiPierro, "There was a demonstration put on by this model airplane club. And I believe I read in the paper that one of our councilman here said that it did sound like a chainsaw and it darn well does sound like a chainsaw."

Councilman Boschetti, "That's correct and I said it and I do believe that that's a fairly accurate description of the noise that a model airplane makes at close range."

Councilwoman Civiletti, "I seem to recall that they did hire an attorney and I think it was Peter Danowski and he did come to a work session. Essentially, correct me if my memory fails me, to ask this Board did we share the Supervisor's opinion as to whether or not in fact they needed a special permit to do this. And I thought a consensus of the Board was that they did need a special permit to do this. So they haven't yet filed it. Therefore, if they got a summonses for that once before, they shouldn't go on flying again."

Nick DiPierro, "It seems to be getting down to threats from what I read in the paper."

Supervisor Janoski, "You can't issue the summonses without observing them in the act. Listen. I understand where you're coming from and this is the first time I'm hearing that they're flying. We will ask our enforcement people to keep an eye out for flying. If they are observed in the act of flying, I'm sure you could make a call. Then we will issue them a summonse."

Nick DiPierro, "One of the petitioners did call the local police, the Riverhead Police Department and the Police Department said they can't do anything about it. Bring it up before the Town Board. So they should have that on record that a call was received. I don't know when the call was made, whether it was made Saturday or Sunday."

Councilman Lombardi, "You wanted to say something Robby."

Supervisor Janoski, "Thank you Mr. DiPierro."

Paul Baker, "Of the Organization of Riverhead Civic Associations. Approximately one year ago, this town, at the cost of \$40,000, commissioned the study of the Wading River Hamlet to be done. I wondered if we could request a status report at this particular point? Has a hearing date in fact, been established for the Wading Rier Hamlet Study?"

PERSONAL APPEARANCES, Continued

Supervisor Janoski, "I don't see anyone present from the Planning Department who could give you a full report as to the status."

Paul Baker, "Are there any councilpeople presently serving on the task force?"

Supervisor Janoski, "I was going to ask that question."

Councilman Lombardi, "I was on it. Rick was working on it with Brenda and they were making a submission to the Board and that was the last we heard about it."

Paul Baker, "Has there been any.... Is there a chronological agenda that has been set up for hearing and hopefully for the legislative adoption of that completed hamlet study?"

Councilman Lombardi, "We will check with Ricky tomorrow."

Paul Baker, "Okay. Next question. Concerning the same area of Wading River. Was it the intent of the Town Board originally when the study was commissioned, to allow major subdivision applications to continue without the adoption or formal adoption of this plan?"

Supervisor Janoski, "It seems to me that there was a moratorium in place."

Councilman Pike, "Only through SEQRA was the original intent. We would allow them to proceed under SEQRA as long as they considered a two acre upzone as part of their alternatives. They could go through SEQRA. But the original intent which is what you asked me was that they would not farther than that."

Paul Baker, "So a two acre upzone was what they were expected to be complying with?"

Councilman Pike, "No. It was one of the alternatives they were asked to consider in SEQRA."

Paul Bakre, "I see. The reason of my concern, of course, is an article that appeared in the record this past week concerning the status of those applications at this point. That they in fact, have at least submitted environmental impact statements and that deadlines have expired for public comment. And that in fact, these are being approved as we stand here this evening or are already approved."

Supervisor Janoski, "Only the Planning Board can approve a subdivision. You would have to address your questions to the Planning Board as to what status those applications are before them."

Paul Baker, "I'm also trying to determine your intent initially since you are the ones who originally ordered the Wading River Hamlet Study to be undertaken. And it was my impression at that particular time that there was a six month moratorium placed which was not very acceptable to certain groups perhaps within the

PERSONAL APPEARANCES, ContinuedPaul Baker, Continued

Wading River community. And it seemed that with the placement of the six month moratorium, it seemed to me to be the intent of the Board to sort of hold on those particular applications until that formal study was completed and the hearing process here was concluded."

Supervisor Janoski, "That certainly is one view. I think I say with some assurity that the Planning Board is not going to approve any subdivision until that study is completed."

Councilman Pike, "Mr. Baker, also if I might, I am not a formal member of that committee but I do go to meetings when I can and follow the minutes and talk to Director of Planning Hanley about its progress. I know it is on his time schedule interms of overall planning to make sure that the final maps for the entire study area are presented to the Board within this year and to have a hearing on those maps and the entire plan within this year. That is his intent. I also am unaware that the consultant, Burckhurst in New York City, has prepared those final maps for the areas outside of the new hamlet if you will, the downtown, 25A area of Wading River. But I do know that it is on his schedule to get all that done and go to hearing before the end of this year."

Paul Baker, "Then it would be correct at this point to say the position of the Riverhead Town Board is that applications can be considered and approved even though the plan is not yet finalized or a hearing has not yet been conducted."

Supervisor Janoski, "Mr. Baker, no one said that. First of all, the Town Board does not have the authority to grant a subdivision and I know you understand that and I don't really want to get into a debate here. The Town Board declared a six month moratorium. It commissioned a study. I have just told you that I can say with assurity that the Planning Board is not going to approve a subdivision in that area until the study is complete. What do you want to know?"

Paul Baker, "That's exactly what I wanted to know. Thank you very much. That was my question initially. Do you intend to approve it or not approve it at this point and you said no. Thank you."

Supervisor Janoski, "That's what I tried to tell you. I'm sorry, you're the Supervisor."

Steve Haizlip, Calverton, "Madam Supervisor and the Town Board members. I prefer that Mr. Janoski to answer. In reading the events and news of happenings in the paper, the county at one time, made a statement that they want to take over all the building matters and applications and zoning matters and so forth. I think their intention at the time or their implication was that they believe that they can handle it better. Was that just a balloon they were flying and is any ramifications of it reached you and do you have any knowledge of what they're trying to do? And if so, they

PERSONAL APPEARANCES, ContinuedSteve Haizlip, Continued

want to take it over, are you fighting it? Because I think that it belongs right here in our town. Because after a while, we'll be stripped of everything and all you'll be doing is sitting in chairs."

Supervisor Janoski, "I think you're referring to a resolution which was recently introduced requiring an act of the Suffolk County Legislature before the Health Department could issue a permit. Is that the one you're referring to?"

Steve Haizlip, "No. They wanted to take over..."

Supervisor Janoski, "Well, it is in essence, does take to the County Legislature certain land use management in the town. I was opposed to it and I can't speak for the members of the Board. I have a feeling that they didn't want to get..."

Councilman Pike, "Steve that wasn't attributable to... And that was a large derigeable colby prostectenburgh that's now hoovering over New Jersey somewhere."

Steve Haizlip, "Well, they're going to grab power. That's what it amounts to."

Supervisor for a Day, Demetria, "Recognize anyone who wishes to be heard. Mr. Kasperovich."

William Kasperovich, "Are we here? I was just saying how happy I am that you're there and you are seeing government in action from the highest seat in the township and you're doing a very nice job and we're all very proud of you."

Supervisor for a Day, Demetria, "Tahnk you."

William Kasperovich, "As I got up to talk, I heard somebody trying to help me uttering "Oh God". I sure need his help. Since we were discussing to some extent or large extent, water and water distribution, I would like at this time, I think it would be appropriate to bring up for the consideration of the Town Board. At several meetings ago, a lady sitting here brought up a situation where several residences right here in town could not get water because of the difficulties in financing. The cost would be top heavy for just a few houses. I happen to know another where small businesses have just dropped any thoughts of getting municipal water because the cost for a short run is so high. It's probably likely that there are other areas. But I think that at this point in time with the stretching out of the various lines and network of pipes, that we list all the areas in the established communities. Communities are likely to be changed but those that are established. Especially with homes and then we appraise these different areas and then try and search for some way or some manner which I'm sure can be done, to overcome the top heavy cost and get them to be included in the municipal water network. As it stands now, not too many

10/10/88
PERSONAL APPEARANCES, Continued

William Kasperovich, Continued

people are aware that there are areas in the populated sections of Riverhead that do not have municipal water. Am I right? Okay. I just want you to make sure and request to the Town Board to accomplish this so we can say all of Riverhead is in the water network. And if there's an area that isn't, there's some very very good reason why not. I would also like to request the Town Board to take a hard look at the situation as it stands today where many of these projects are installing utilities, installing roadwork, just about all civil type construction. And yet our Building Department just stays with the buildings. They reach out a little bit here and a little bit there but not enough to cover anything. Now, H2M does put out a man in the field. That man is directed from the H2M office. I feel we need a man out there that is directed by the Town Board. It's very nice to hear that the developer will pay the cost of the installation. But in short order, we inherit it. And the workmanship and the quality we inherit too. And as it stands now, we don't have anybody taking a serious concern about it. And I think we have enough work going on to where the areas and utilities that we are going to inherit, that we have somebody that is looking after our interest of this. So that that which we inherit, is acceptable to us. Now, we've been coasting along right now I believe and I don't think...."

Supervisor Janoski, "Excuse me Bill. Gary, do you have a job with the Town of Riverhead? Is that Superintendent of the Water District? Could you tell me, do you as part of your duties, see to the proper installation and meeting of specifications of the work done and the installation of water pipe and do you not represent the Town of Riverhead and guard its interest? I'm sorry. Maybe when Bill is finished you could answer. I'm sorry Bill."

William Kasperovich, "I purposely talked in generality not wanting to offend the Highway Superintendent or the Water Superintendent or the Sewer Superintendent. But these fellows have their hands full without the new construction and their titles and their responsibilities given for their positions are not covered completely. We have a very nice young man who is the Water Superintendent who is doing work that he's not getting paid for. He is just doing it because he's a good Riverhead resident."

Supervisor Janoski, "Are you negotiating his contract which is up very soon?"

William Kasperovich, "No. When they do a good job, they hear it from me and when they do a poor job, they hear it twice as loud and I try not to do it here at the microphone. But they're spread quite thin and I think I'm just conservative enough to want better coverage. If you've talked to anybody that's been on construction work with me, they know that I'm a hard task master. I think Riverhead is entitled to..."

PERSONAL APPEARANCES, Contined

Supervisor Janoski, "Bill, you are aware that we're going to hire a town engineer for one of the purposes being to undertake what you're talking about. To represent the town in projects. I know you know that because you inquired about the job. So the town is moving to address those questions which you raise here. We have hired competent people like Gary Pendzick to be Superintendent of the Water District. We hire consulting engineers. And now finally, we are going to have a person specifically who works for the town as a town engineer. Now have I missed your point?"

William Kasperovich, "I think you have. As Councilman Lombardi very well knows because I was quite hot under the collar. Now, Mr. Lombardi remembers nine years ago that I presented charts and diagrams to explain the function of a Building Department. Now see, you're getting impatient."

Supervisor Janoski, "You've gone far beyond the five minutes."

William Kasperovich, "No. I'm presenting to you... You threw it back at me that you don't know what I'm talking about and I'm going to give you a current pertinent situation."

Supervisor Janoski, "The Building Department does not inspect the installation of water pipes."

William Kasperovich, "You hired a man with a title of site plan reviewer. Okay. I come in with a site plan, couldn't be more simple, couldn't be more fundamental any grammar school could understand. I talked to the man. He wouldn't give me an objection. The Board of Appeals would not accept an application of appeal because I don't know what to object to. Now you have a full time site plan reviewer and the very simplest of things is not reviewed. Now, who is charge of the kitchen? Who is watching the work? Now, if we hired a man to do a full time job, there's got to be somebody that sees that he does it. And I'm giving you an example here now of recent days, not weeks but days, where this is the condition. Now, I'm sure this guy had no love for me to bring his situation on the floor. But we're talking in a yearly salary that approaches the yearly salary of the councilmen. And yet we're not getting the best effort for Riverhead. So I give this to you as an example. I mean it's specifically and to the point where until now I was talking in generality and general coverage of new work going on in the town. So you wanted something that is of current nature of today. There's the example and I cover this with all the utilities and civil works in the new projects that are going on and that are proposed to be going on. And it appears that for a few years, this will go on. Okay. My tape has run out. I've run out of patience. And whoever got God to help me, I thank them."

Councilman Lombardi, "I did Bill. I was working hard for you."

William Kasperovich, "Thank you."

PERSONAL APPEARANCES, Continued

Supervisor for a Day, Demetria, "We will recess until 9:20 p.m.

TOWN BOARD MEETING RECESSED AT 9:00
TOWN BOARD MEETING RECONVENED AT 9:38

Supervisor for a Day, Demetria, "I call the meeting back to order. We will take up the resolutions."

Joseph Sykora, Riverhead, "I have two things I'd like to talk about. One is about the swap meet on 658. Has anybody looked into the traffic situation? What it's going to be on Route 58 at that date?"

Supervisor Janoski, "We have discussed that and we will ask the Police Department to be prepared to provide some traffic control if the situation warrants it."

Joseph Sykora, "Okay. Now there's another thing and that's about the five story building on Route 58. We had a resolution to cut down on the signs on Route 58 from 20 feet to 10 feet."

Supervisor Janoski, "In many cases, yes."

Joseph Sykora, "Then how come we're allowing the 50 foot buildings? I would like an answer."

Supervisor Janoski, "Well, do you want.... First of all, the impression has been given that the 50 foot or five story buildings will be allowed along the entire length of the 58 corridor. That's not true. What was done was the change in the zoning known as Office Service which was the zoning that was created and put in place on the extreme eastern end of Route 58 for the purpose, the specific purpose of reducing the density or the height of use to put in a lower.... I'm trying to think of the work and all of a sudden I can't think of it."

Joseph Sykora, "But I'm getting double talk."

Supervisor Janoski, "No you're not. I'm trying to tell you the story as it took place. The zoning previous to the Office Service was Business "B" which is a high intensity commercial use. What the Board did and this took place (I believe) back in 1983, was to look at Route 58 and come to the decision that we wanted to reduce the intensity of use on the eastern end, to remove from that end the high intensity commercial use and put in place an Office Service use which does not permit retail shopping centers, etc. As a result of some of the restrictions that were put in the zone including setbacks, it was proposed to the Board that there were practical difficulties in meeting the requirements of the code and I think you were here at the Town Board meeting when several people pointed out that you couldn't put a building in this tiny envelope that was created by the need for the setbacks. The Zoning Board of Appeals, and that's where this initiated, made the recommendation that there be a change in the zoning code. It went to the Planning Board and the Planning Department. The Planning Board and the Planning Department reviewed it and made these recommendations to the

Supervisor Janoski, Continued

Town Board that the height limitation would be allowed to go up to 60 feet as I recall. The Town Board decided that that was a little too high. We said that we would support 50 in the majority membership. A public hearing was held and the Board subsequently did approve it with this restriction; that the square footage that you could achieve under a 35 foot building which was previously allowed, would not be exceeded under a 50 foot building. So that there is no increase in the density of the use of the property. The square footage that you can obtain from a five story or 50 foot building is exactly the same of that which you could achieve with a 35 foot building."

Joseph Sykora, "I know that but you're still going up. And if you cut down signs, what good is it. All you're going to see... Like McDonalds, you made them cut down their sign. And by Neptune, he had to cut down his sign."

Supervisor Janoski, "Well, Joe...."

Joseph Sykora, "If you go to work and put up 50 foot buildings, you're not even going to see them signs. It's just like the hospital. The hospital wanted to put up a higher sign so that you could see the hospital. It's way down on the ground. Now if you go to work and you go up, it's ridiculous."

Supervisor Janoski, "Joe, there is a school of thought which is subscribed to by many planning professionals that it is better environmentally in planning to allow for a building to go up higher to preserve the open space around it. Now that's one school of thought. The Town Board reviewed the situation and a majority membership agreed that this provided a solution to a problem that existed there. We didn't do it because we were in the pocket of the developers."

Joseph Sykora, "I didn't say that."

Supervisor Janoski, "I know you didn't say it but somebody made me read an ad that was in the paper finally, this past week. We did it out of our judgment, the members who voted for it. That it was the proper and correct thing to do. That was the situation. That was the historonics of how we got to enacting that. But I think the important point is that the density use of the property, the square footage, is not increased by allowing the building to go up. Now I understand what you're saying. It does go up to 50 feet and I don't know if you can put a five story building at 50 feet. I have a feeling that you're going to get a four story building. But that's neither here nor there."

Joseph Sykora, "So then what are we going to do? You're going to change the resolution on the signs so that they can raise the signs?"

PERSONAL APPEARANCES, Continued

Supervisor Janoski, "I don't know what one has to do with the other. Yes, the Town Board did enact a sign ordinance which put in place in most cases, a ten foot height limitation. That was part of the planning efforts that we've been making. It made sense to us then and I guess it made sense to us now. But you're opposed to the 50 foot height."

Joseph Sykora, "Yes I am."

Supervisor Janoski, "Okay, that's fair enough. Anybody else?"

Supervisor for a Day, Demetria, "Take up the resolutions."

RESOLUTIONS #654-671 found on pages of
the 1988 resolution Book.

#658 AUTHORIZES ROBERT O'ROURKE TO HOLD AUTO PARTS SWAP MEET.

Councilman Boschetti, "Point of information, Mr. Chairman, Madam Chairman. I had asked that the time for this particular swap meet be included in the resolution. The times being specifically being 10 a.m. to 5 p.m. They were not included. Would you like me to make that amendment formally or should we just make mention of it now and read it that way?"

Supervisor Janoski, "I would say just put it in right now and consider it introduced in that form."

Councilman Boschetti, "Okay, fine."

#664 AUTHORIZES TOWN CLERK TO POST & PUBLISH PUBLIC NOTICE RE: ELECTED OFFICIALS SALARIES.

Councilman Pike, "Motion to amend. I'd like to amend the resolution to the extent that all public officials receive the same raise instead of what is generally 4,500 in this proposal, to 2,300 per person straight across the Board and everybody gets the same."

Councilwoman Civiletti, "Seconded."

The vote, Boschetti, no, Pike, yes, Civiletti, yes,
Lombardi, no, Janoski, no.

The amendment is thereupon duly declared **DENIED**.

Supervisor Janoski, "I would like first to introduce Demetria's mom who has relaxed quite a bit now that Demetria has gone through this day. Why don't you stand up Mrs. Hobson. Demetria has done an outstanding job today. Of course we were a little worried at the beginning of the day but she loosened up and started to feel comfortable and she ran this meeting very well. And I congratulate

Supervisor Janoski, Continued

you for what you did to get here and the excellant job that you have done today. It was a pleasure for me. This is Demetria's gavel. It was made for her and it is inscribed: Demetria Hobson, Supervisor for a Day, Town of Riverhead, October 18, 1988. I can't see without my glasses. That is yours to keep as well as the nameplate and I thank you very much for the opportunity."

Supervisor for a Day, Demetria, "I want to thank Supervisor Janoski for making this a very special day. The job of Supervisor is a tough one but I enjoyed every minute of it. I also want to thank the members of the Town Board, the Riverhead Library and all of you for this special day. It has been a day that I will remember all of my life. Thank you all very much."

Supervisor Janoski, "Without objection, adjourned."

There being no further business on motion or vote, the meeting adjourned at 10:00 p.m.



Irene J. Pendzick
Town Clerk

IJP:nm